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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/942,641

08/31/2001

Hisashi Ohki

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EXAMINER

LIANG, REGINA

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

08/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/942,641

Applicant(s)

OHKI ET AL.

Examiner

Regina Liang

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-13,15-18 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-13,15-18 and 20-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/29/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/5/07 has been entered. Claims 1, 3-8, 10-13, 15-18, 20-31 are pending in the application.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1, 3-8, 10-13, 15-18, 20-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon (US 5,768,164) in view of Yutaka et al (JP 9026832 hereinafter Yutaka).

As to claim 31, Hollon discloses an electronic apparatus, comprising: an auxiliary display section (display section 21 in Fig. 1 and display 39 in Fig. 2) fixed to a main body (10) having a main display section (20) and configured to display status information of the electronic apparatus (various status information as shown in Figs. 3-7). Fig. 6 of Hollon discloses the auxiliary display section (39) including at least a segment display part (display such as "92%"), an application button definition part ("BATTERY", "CHG", etc), a device status display part ("STATUS"), a character display part ("E-MAIL", MSGS", etc) and a battery status display part

(battery icon and “92%”). Figs. 1 and 2 of Hollon discloses a lid selectively moveable between an opened position (Fig. 1) in which the main (20) and auxiliary display sections (display section 21, see col. 2, lines 53-59 in which “Pixels within section 21 of display 20 (shown in Figure 1) are mapped to spontaneous use display 39”) are visible and a closed position (Fig. 2) in which the main display section is not visible but the auxiliary display section (display 39) remains visible from the outside of the electronic apparatus; wherein the auxiliary display section, a plurality of buttons including the plurality of application buttons, and a mode select button (11, 31) remain visible in each of the open position of the lid (see Fig. 1, display 21, buttons 11-18 are visible) and the closed position of the lid (see Fig. 2, display 39, buttons 31-38 are visible).

Hollon does not disclose the auxiliary display section, a plurality of buttons including the application buttons and the mode selected button remain visible from the outside of the electronic equipment in an intermediate position between the open and closed positions of the lid. Yutaka is cited to teach a portable display including an auxiliary display section (20) for displaying information such as time and schedule, the display of a page calling, the reception of a mail, and a pocket electronic calculator. The auxiliary display 20 continuously displays the functions for 24 hours and it can be seen all the time in each of open position of the lid, closed position of the lid and an intermediate position between the open and closed positions of the lid (Figs. 1 and 2). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Hollon to have the features of location of auxiliary display as taught by Yutaka so that the information displaying on the auxiliary display can be seen all the time.

As to claims 1, 5, 7 and 30, note the discussion of claim 31 above. Furthermore, Fig. 7 of Hollon teaches the plurality of application buttons (32-38) having respective instruction contents which differ, depending on an operation mode of the electronic apparatus, and the mode select button (31) configured to instruct the operation mode of the electronic apparatus, positioned adjacent the auxiliary display section at a position distinguished positional from the plurality of buttons positions. Fig. 9 of Hollon teaches a controller configured to display definitions or meanings of the plurality of buttons as claimed.

As to claim 3, Hollon teaches the plurality of buttons (32-38 in Figs. 3-7) are all provided below the auxiliary display section (39).

As to claims 4, 6, and 8, Figs. 3-7 of Hollon teaches the operation mode includes at least two modes such as a portable recording medium (phone book mode in Fig. 5, CD player mode in Fig. 7) and a mail mode (PC mode in Fig. 6) as claimed.

As to claims 10, 15, 20, Hollon teaches another auxiliary display section that is covered by the lid when the lid is closed (e.g., the main display including more than one display sections or windows).

As to claims 11, 16, 21, Hollon teaches the main body provided with the plurality of buttons (keyboard) and accommodating the controller, the lid member being pivotally mounted on the main body, and another auxiliary display section that is provided on the lid member (e.g., the main display including more than one display sections or windows).

As to claims 12, 17, 22, Fig. 1 of Hollon shows the lid being mounted to the main body for rotation between the opened and closed positions thereof.

As to claims 13, 18, 23, Hollon teaches the main display is mounted on a main surface of the lid, in the closed position of the lid, opposed a corresponding main surface of the main body.

As to claims 24-26, Figs 3-7 of Hollon teaches the plurality of buttons and the mode select button are positioned below the auxiliary display section.

As to claims 27-29, Hollon as modified by Yutaka would have the main and auxiliary section display sections and the plurality of buttons are visible from a common viewing position as claimed.

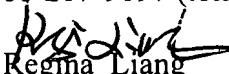
Response to Arguments

4. Applicant's arguments with respect to claims 1, 3-8, 10-13, 15-18 20-31 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (571) 272-7693. The examiner can normally be reached on Monday-Friday from 8AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Regina Liang
Primary Examiner
Art Unit 2674

7/31/07